

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Chris Olmsted	Team: Squad #09	CCRB Case #: 202105545	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input checked="" type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Thursday, 09/16/2021 12:50 AM, Wednesday, 05/04/2022 10:25 AM	Location of Incident: in front of 1398 Grand Concourse; 100 Church Street - CCRB Offices	18 Mo. SOL 3/16/2023	Precinct: 44		
Date/Time CV Reported Thu, 09/16/2021 11:19 AM	CV Reported At: CCRB	How CV Reported: Call Processing System	Date/Time Received at CCRB Thu, 09/16/2021 11:19 AM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. SGT Juan Cabrera	00884	948314	044 PCT
2. POM George Layng	15804	966663	044 PCT
3. PO James Talbert	05961	960014	044 PCT
4. PO Xavier Perez	10454	963692	044 PCT

Officer(s)	Allegation	Investigator Recommendation
A . SGT Juan Cabrera	Abuse: On September 16, 2021, in front of 1398 Grand Concourse, Sergeant Juan Cabrera stopped § 87(2)(b)	
B . POM George Layng	Abuse: On September 16, 2021, in front of 1398 Grand Concourse, Police Officer George Layng stopped § 87(2)(b)	
C . SGT Juan Cabrera	Abuse: On September 16, 2021, in front of 1398 Grand Concourse, Sergeant Juan Cabrera frisked § 87(2)(b)	
D . PO James Talbert	Abuse: On September 16, 2021, in front of 1398 Grand Concourse, Police Officer James Talbert refused to provide his shield number to § 87(2)(b)	
E . PO Xavier Perez	Abuse: On September 16, 2021, in front of 1398 Grand Concourse, Police Officer Xavier Perez refused to provide his shield number to § 87(2)(b)	
F . SGT Juan Cabrera	Abuse: On September 16, 2021, in front of 1398 Grand Concourse, Sergeant Juan Cabrera failed to provide § 87(2)(b) with a business card.	
G . POM George Layng	Abuse: On September 16, 2021, in front of 1398 Grand Concourse, Police Officer George Layng failed to provide § 87(2)(b) with a business card.	
H . PO James Talbert	Untruthful Stmt.: On May 4, 2022, at 100 Church Street in Manhattan, Police Officer James Talbert provided a false official statement to the CCRB.	
§ 87(2)(g), § 87(4-b)		

Officer(s)	Allegation	Investigator Recommendation
§ 87(2)(g), § 87(4-b)	[REDACTED]	[REDACTED]
§ 87(2)(g), § 87(4-b)	[REDACTED]	[REDACTED]
§ 87(2)(g), § 87(4-b)	[REDACTED]	[REDACTED]

Case Summary

On September 16, 2021, § 87(2)(b) filed this complaint with the CCRB via the call processing system.

On September 16, 2021, at approximately 00:50, in front of 1398 Grand Concourse in the Bronx, Sergeant Juan Cabrera and Police Officer George Layng, both of the 44th Precinct, stopped § 87(2)(b) (**Allegations A & B: Abuse of Authority, § 87(2)(g)**) Sergeant Cabrera frisked § 87(2)(b) (**Allegation C: Abuse of Authority, § 87(2)(g)**) After the stop, PO James Talbert and PO Xavier Perez, both of the 44th Precinct, refused to provide their shield numbers to § 87(2)(b) (**Allegations D & E: Abuse of Authority, § 87(2)(g)**) and Sergeant Cabrera and PO Layng failed to provide § 87(2)(b) with Right to Know Act cards (**Allegations F & G: Abuse of Authority, § 87(2)(g)**)

On May 4, 2022, while testifying at the CCRB, PO Talbert made a false official statement to the CCRB (**Allegation H: Untruthful Statement, § 87(2)(g)**)

§ 87(2)(g), § 87(4-b)

§ 87(2)(b) provided the investigation with a cell phone video he took during the incident. (BR 02)

The investigation obtained ARGUS footage that captures this incident. (BR 03)

This incident did not result in any summonses or arrests.

Findings and Recommendations

Allegation (A) Abuse of Authority: On September 16, 2021, in front of 1398 Grand Concourse, Sergeant Juan Cabrera stopped § 87(2)(b)

Allegation (B) Abuse of Authority: On September 16, 2021, in front of 1398 Grand Concourse, Police Officer George Layng stopped § 87(2)(b)

Allegation (C) Abuse of Authority: On September 16, 2021, in front of 1398 Grand Concourse, Sergeant Juan Cabrera frisked § 87(2)(b)

The following facts are undisputed: near midnight between September 15 and September 16, 2021, § 87(2)(b) and two other individuals walked from approximately § 87(2)(b) to a bodega at 1398 Grand Concourse. § 87(2)(b) was wearing a fanny pack across his chest. Sergeant Cabrera, PO Layng, PO Talbert, and PO Perez followed § 87(2)(b) in an unmarked RMP as § 87(2)(b) walked. § 87(2)(b) looked repeatedly at the unmarked RMP as it followed him. When § 87(2)(b) reached the bodega, he entered it, made a purchase, and exited it a short time later. The police officers remained in their RMP parked outside the bodega, observing him. § 87(2)(b) left the scene. While he was gone, officers exited their vehicle and asked after § 87(2)(b) to his companions. They learned nothing indicating § 87(2)(b) had a weapon. They returned to their vehicle and drove away. Approximately 20 minutes later, § 87(2)(b) returned to the scene and stood on the sidewalk outside the bodega. The officers returned in their RMP and exited it. Sergeant Cabrera and PO Layng approached § 87(2)(b) and stopped him. Sergeant Cabrera frisked § 87(2)(b) fanny pack and § 87(2)(b) person. Sergeant Cabrera did not recover contraband during the frisk.

§ 87(2)(b) did not testify about any specific statements he made while walking to the bodega. § 87(2)(b) testified that he had nothing heavy in his fanny pack. He stated the only rectangular object in his fanny pack was his wallet, which was in the rear, zippered compartment. He stated that when officers approached him his fanny pack was closed, nothing was sticking out of it, and he had not manipulated the bag, put anything into it, or taken anything out of it in the minutes leading up to his interaction with the officers. (BR 20)

Sergeant Cabrera stated that while § 87(2)(b) was walking to the bodega one of § 87(2)(b) companions said something to § 87(2)(b) that Sergeant Cabrera could not recall. In response to his companion's comment, § 87(2)(b) looked directly at the unmarked vehicle and stated to his companions, "don't worry, I've got it on me." Sergeant Cabrera stated that, based on his experience as a police officer,

he understood the phrase “I’ve got it on me” to mean that § 87(2)(b) had a firearm on him. Sergeant Cabrera stated that comment was the only reason his attention was drawn to § 87(2)(b) and that otherwise officers had encountered § 87(2)(b) by coincidence. Sergeant Cabrera further stated that when § 87(2)(b) was first at the bodega, § 87(2)(b) reached into his fanny pack, removed an object, and replaced the object into the fanny pack. Sergeant Cabrera testified that § 87(2)(b) action was quick and therefore he was not certain at the time what the object was. He stated, “I knew it was black, but itself, it could have been anything.” This observation and § 87(2)(b) prior statement were the basis of Sergeant Cabrera’s belief that § 87(2)(b) had a weapon. When officers regained sight of § 87(2)(b) outside the bodega, Sergeant Cabrera went directly to § 87(2)(b) while ordering him verbally to stop. § 87(2)(b) did not respond and took no actions. Sergeant Cabrera frisked § 87(2)(b) fanny pack as soon as he reached § 87(2)(b) and frisked § 87(2)(b) waistband immediately upon determining there was no weapon in the fanny pack. (BR 04)

PO Layng testified that Sergeant Cabrera relayed to himself and other officers that § 87(2)(b) said, “I’ve got it on me.” PO Layng also understood the phrase to mean that § 87(2)(b) had a firearm. PO Layng also recalled § 87(2)(b) interacting with an object from § 87(2)(b) fanny pack. PO Layng stated that the object was black and appeared hard. PO Layng stated he only saw the object for “a split, split second” but stated the way § 87(2)(b) reached into his bag and grabbed the object appeared to PO Layng to be the same hand shape and gesture PO Layng would use to hold his own firearm. PO Layng stated his belief that the object was a firearm was based less on the object itself and more on how § 87(2)(b) appeared to be interacting with the object. (BR 05)

PO Perez testified that he heard § 87(2)(b) state in sum and substance, “I’ve got it on me” while § 87(2)(b) was walking to the bodega. He testified that in his experience the phrase “sometimes” means the speaker has a weapon. PO Perez has recovered knives from individuals who have made similar statements. PO Perez testified that he saw § 87(2)(b) interact with an object from his fanny pack while § 87(2)(b) was outside the bodega. He saw § 87(2)(b) take a black object out of his bag and put it directly back in. PO Perez stated, “from my perspective it was a black object, I couldn’t tell, but it definitely was not a cell phone.” PO Perez stated that the way § 87(2)(b) moved his arm suggested to him that the object had a handle. (BR 06)

PO Talbert testified that before this incident § 87(2)(b) was unknown to him. He stated that he heard § 87(2)(b) state, “don’t worry, I’ve got it on me” and understood the phrase to mean § 87(2)(b) had “some sort of weapon.” At the bodega, PO Talbert saw § 87(2)(b) pull an object partially out of the fanny pack. He did not pull it out all the way, but when officers discussed it in the RMP they agreed the object was black. PO Talbert stated to the CCRB that the object was small, which he clarified meant of a handheld size. PO Talbert clarified that all of the officers saw § 87(2)(b) gesture, but only Sergeant Cabrera saw the object. (BR 07)

The investigation searched popular culture databases for the phrase “I’ve got it on me.” According a database of popular music lyrics, Gucci Mane’s track “I Got It On Me” uses the phrase to refer to money (“You heard I got long paper, I got it on me / Yeah my money long baby, I got it on me”), whereas Kirko Bangz’s track “Got It On Me” uses the phrase to refer to a firearm (“I got it on me, got it under the seat / Aim at your head, ain’t aiming at ya feet”). (BR 08) Likewise, a user-populated dictionary of slang terms has an entry in which the phrase refers to any object (in an example, one individual asks who has a vape and another individual responds, “I got it on me”) and also has an entry stating “I got it on me” refers to having a gun. At the time of this report, neither entry had either endorsements or repudiations. (BR 09) Based on these results, the investigation determined that “I got it on me” may refer to a weapon and may not.

Patrol Guide Procedure 212-11 (BR 10) states, “A common law right of inquiry is an encounter between a civilian and a uniformed member of the service conducted for the purpose of asking the

civilian pointed or accusatory questions because the police officer has a “founded suspicion” that criminal activity is afoot. “Founded suspicion” is a lower level of suspicion than the “reasonable suspicion” required to conduct a “stop” or Level 3 encounter.” It instructs officers, “upon reasonable suspicion that the person has committed, is committing, or is about to commit a felony or Penal Law misdemeanor, stop and detain the person for the purpose of conducting a criminal investigation.” It further states that, during a stop:

"If a police officer develops a reasonable suspicion that a person is armed and dangerous, the officer may frisk the person for a deadly weapon or any instrument, article or substance readily capable of causing serious physical injury and of a sort not ordinarily carried in public places by law-abiding persons. Reasonable suspicion that a person is armed and dangerous may arise from the officer's observations or the facts and circumstances of the encounter including:

- a) Reasonable suspicion that the suspect has committed, is committing, or is about to commit a violent crime (e.g., assault with a deadly weapon, burglary, rape, robbery, etc.)
- b) Observation of something on the person that the officer reasonably suspects is a weapon
- c) A statement by the suspect stopped that she/he is armed
- d) Information known by the officer that the suspect may be carrying a weapon, such as statements from a victim or witness" (BR 10)

People v Harris, 122 A.D.3d 942 addressed whether an officer exceeded his authority when he frisked a civilian and recovered a firearm after seeing the civilian make "a motion as if shoving something in his front waistband" and observing "a hard object sticking out" of a bulge at the civilian's waistband. The Appellate Division of the Supreme Court of New York found that the officer "was not justified in searching the defendant's waistband bulge as a minimally intrusive self-protective measure." The court, citing precedent, stated that because the officer was "not responding to a report of a crime involving a weapon" and made observations that were "readily susceptible of an innocent as well as a guilty explanation" the officer "lacked reasonable suspicion to believe that the defendant posed a threat to his safety when he conducted a pat-down search of the bulge in his waistband." The officer's observations "only permitted him to ask the defendant if he was carrying a weapon based on a founded suspicion that criminality was afoot." (BR 11)

When Sergeant Cabrera and PO Layng stopped and frisked § 87(2)(b) they were not responding to a report of a crime involving a weapon, and the two observations officers made of § 87(2)(b) were each readily susceptible of innocent explanations as well as guilty. The phrase “I got it on me” is popularly understood to refer to more than just weapons, and even Sergeant Cabrera testified the object he saw “could have been anything.” § 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

Allegation (D) Abuse of Authority: On September 16, 2021, in front of 1398 Grand Concourse, Police Officer James Talbert refused to provide his shield number to § 87(2)(b)

Allegation (E) Abuse of Authority: On September 16, 2021, in front of 1398 Grand Concourse, Police Officer Xavier Perez refused to provide his shield number to § 87(2)(b)

Allegation (F) Abuse of Authority: On September 16, 2021, in front of 1398 Grand Concourse, Sergeant Juan Cabrera failed to provide § 87(2)(b) with a business card.

Allegation (G) Abuse of Authority: On September 16, 2021, in front of 1398 Grand Concourse, Police Officer George Layng failed to provide § 87(2)(b) with a business

card.

The following facts are undisputed: After Sergeant Cabrera frisked § 87(2)(b) began recording a video on his cell phone. He asked Sergeant Cabrera and PO Layng for their names and badge numbers. Each provided their information. § 87(2)(b) asked PO Talbert and PO Perez for their badge numbers. Neither provided it. No officer issued § 87(2)(b) a summons or arrested him. Neither Sergeant Cabrera nor PO Layng provided § 87(2)(b) with a Right to Know Act business card.

§ 87(2)(b) cell phone video begins shortly after § 87(2)(b) is frisked and continues through the officers' departure from the scene (BR 02). At 0:13, § 87(2)(b) points his camera at PO Talbert and asks for his badge number. PO Talbert looks directly at him and walks away from him. He does not speak or respond. § 87(2)(b) asks for PO Talbert's badge number again. PO Talbert does not respond. § 87(2)(b) continues, at 0:17, by stating, "excuse me, sir, can I get both y'all badge numbers, y'all two right there." He is the loudest, clearest speaker. § 87(2)(b) is standing next to the passenger side of the RMP. While he speaks he pans the camera to point at PO Perez, who is standing at the driver's seat door and facing § 87(2)(b). PO Perez does not look at § 87(2)(b) and does not appear to acknowledge that he is speaking. Beginning at 0:20, PO Talbert and PO Perez get into the RMP. § 87(2)(b) states, "no no no, I need both their badge numbers." At 00:23, on the left side of the frame, the right side of PO Perez's face is visible looking in § 87(2)(b) direction. No officer provides further shield numbers to § 87(2)(b). All officers depart in the RMP. (BR 02)

PO Talbert initially testified that after Sergeant Cabrera frisked § 87(2)(b) took out his phone, started recording, and asked all the officers for their names and shield numbers. PO Talbert stated that § 87(2)(b) spoke with Sergeant Cabrera and PO Layng first, and by the time he asked PO Talbert and PO Perez for their information § 87(2)(b) already had his cellphone in his hand. PO Talbert understood § 87(2)(b) to be recording when he asked them for their information. PO Talbert stated to the CCRB, "to my memory, when he asked us for our names and shields multiple times, we did give it, me and Perez. I remember yelling out to him, giving out shields. And then, got back in our vehicle." (BR 07)

PO Talbert watched § 87(2)(b) cell phone recording and identified himself as the balding officer who walks around the back of the RMP. He stated seeing the video refreshed his recollection of the incident, but when asked how it did so PO Talbert stated only that he more clearly recalled where each officer was standing during the incident. When asked specifically about whether he provided his name and shield to § 87(2)(b) as PO Talbert testified, PO Talbert stated that § 87(2)(b) voice obscured his own in the video and that he believed he gave § 87(2)(b) his name and shield in the recorded moments. PO Talbert watched from 0:10 to 0:22 again and agreed that the footage showed he did not speak during that window. He stated that fact did not impact his prior statements about whether he provided his name and shield to § 87(2)(b). (BR 07)

PO Perez testified that he was aware that § 87(2)(b) interacted with Sergeant Cabrera and PO Layng but did not know the content of their conversation. PO Perez was focused on watching the other individuals on scene and did not know whether § 87(2)(b) asked Sergeant Cabrera or PO Layng for identifying information. When officers got back into their RMP, § 87(2)(b) was recording a video on his cell phone and "may have said something," but PO Perez did not respond as he had not interacted with § 87(2)(b) and had not initiated the stop. PO Perez did not recall whether § 87(2)(b) asked for his information but stated he did not believe so. (BR 06)

PO Perez watched § 87(2)(b) cell phone video and stated that, while he saw in the video that § 87(2)(b) asked PO Perez and PO Talbert for their information, he did not recall hearing those comments during the incident itself. (BR 06)

Sergeant Cabrera testified that he forgot to give § 87(2)(b) a business card at the end of this incident. (BR 04)

PO Layng stated he did not give § 87(2)(b) a business card because § 87(2)(b) did not ask him for one. PO Layng stated he did not believe he was required to affirmatively provide § 87(2)(b) with a card because Sergeant Cabrera was the officer responsible for the stop. (BR 05)

Patrol Guide Procedure 203-09 states, “For the purpose of this procedure, a business card is to be offered for a law enforcement activity, except in cases when a summons is issued or an arrest is made,” and defines a stop of an individual as a “law enforcement activity.” It requires officers who conclude a “law enforcement activity” to both “courteously and clearly state [their] rank, name, shield number and command, or otherwise provide them, to anyone who requests [them] to do so” and “offer pre-printed RIGHT TO KNOW BUSINESS CARD.” (BR 12)

New York City Administrative Code 14-174(c), states, “Notwithstanding the provisions of subdivision b [enumerated ‘law enforcement activities’], an officer shall offer a business card to any person requesting identifying information, or provide such information verbally to such person and allow such person sufficient time to record such information when such officer does not have an adequate number of pre-printed business cards or hand-written cards on his or her person at the time of such law enforcement activity.” (BR 13)

The New York City Administrative Code requires officers to provide civilians with identifying information the civilians request, either by stating the information verbally or providing a pre-printed card. Video evidence shows § 87(2)(b) asked PO Talbert for PO Talbert’s badge number during this incident. It shows PO Talbert looked directly at § 87(2)(b) and did not respond. PO Talbert independently recalled § 87(2)(b) asking for PO Talbert’s information at the moment shown in § 87(2)(b) video. PO Talbert testified that he provided his information. Video evidence shows he did not. § 87(2)(g)

Video evidence shows § 87(2)(b) asked PO Perez for PO Perez’s badge number but does not clarify whether PO Perez heard the request. PO Perez recalled § 87(2)(b) “might have said something,” but stated he did not respond because he had not interacted with § 87(2)(b) and had not conducted the stop. PO Perez agreed that § 87(2)(b) video shows § 87(2)(b) asking PO Perez for PO Perez’s badge number and stated that he did not recall having heard § 87(2)(b) in the moment.

§ 87(2)(g) Video evidence shows that § 87(2)(b) was the loudest, clearest speaker when he asked for PO Perez’s information, and that PO Perez was facing § 87(2)(b) when § 87(2)(b) made the request. PO Talbert, who, like PO Perez, was on the opposite side of the RMP from § 87(2)(b) testified he heard § 87(2)(b) ask for PO Perez’s information. PO Perez himself recalled that § 87(2)(b) “said something.” PO Perez’s initial statement that he was not required to provide his information to § 87(2)(b) fails to satisfy the Administrative Code’s requirement that any officer provide their identifying information to any civilian who asks for it. § 87(2)(g)

The Patrol Guide required Sergeant Cabrera to offer § 87(2)(b) a business card after stopping and frisking § 87(2)(b). This requirement is separate from, and not satisfied by, Sergeant Cabrera stating his name and shield number at § 87(2)(b) request. Sergeant Cabrera did not offer § 87(2)(b) a card and stated he forgot to do so. § 87(2)(g)

The Patrol Guide required PO Layng to offer § 87(2)(b) a business card after stopping § 87(2)(b). PO Layng did not. PO Layng testified that he was not required to offer § 87(2)(b) a card because Sergeant Cabrera was responsible for the stop. It is undisputed that Sergeant Cabrera and PO Layng approached and stopped § 87(2)(b) together. § 87(2)(g)

Allegation (H) Untruthful Statement: On May 4, 2022, at 100 Church Street in Manhattan, Police Officer James Talbert provided a false official statement to the CCRB.

PO Talbert testified to the CCRB, “to my memory, when § 87(2)(b) asked us for our names and shields multiple times, we did give it, me and Perez. I remember yelling out to him, giving out shields. And then, got back in our vehicle.” PO Talbert watched a video recording of these moments, agreed they

were the moments about which he had been testifying, and agreed the video showed he did not speak to anyone, including § 87(2)(b) during the moments in which he testified to “yelling out” his shield number to § 87(2)(b). PO Talbert then stated that what the video showed had no impact on his prior statement. He maintained his testimony that he yelled out to § 87(2)(b) in the captured moment. (BR 07)

NYPD Administrative Guide 304-10 (BR 14) offers the following definitions:

“FALSE STATEMENT - An intentional statement that a member of the service knows to be untrue, which is material to the outcome of an investigation, proceeding, or other matter in connection with which the statement is made.”

“MATERIAL FACT - A significant fact that a reasonable person would recognize as relevant to, or affecting, the subject matter of the issue at hand, including any foreseeable consequences, or establishment of the elements of some proscribed conduct. It is a fact that is essential to the determination of the issue and the suppression, omission, or alteration of such fact would reasonably result in a different decision or outcome. A material fact may be distinguished from an insignificant, trivial, or unimportant detail.” (BR 14)

DCT Case Number 2016-16097 held that in order to prove a false statement, it must be demonstrated that the statement was not only false but created a “false description of events,” as opposed to statements that merely deny an administrative charge of misconduct. (BR 15)

Whether PO Talbert provided his shield number to § 87(2)(b) is “a significant fact that a reasonable person would recognize as relevant to, or affecting, the subject matter” of this investigation. PO Talbert testified that he provided his shield in a specific manner at a specific point in time. He watched video evidence that he confirmed captured the moment in time to which he referred and that he agreed showed he did not provide his shield number, either in the manner he described or otherwise. After doing so, he maintained his earlier testimony. § 87(2)(g)

§ 87(2)(g)

§ 87(2)(g), § 87(4-b)

§ 87(2)(g), § 87(4-b)

Civilian and Officer CCRB Histories

- § 87(2)(b)
[REDACTED]
- Sergeant Cabrera has been a member of service for 13 years and has been a subject in nine other CCRB complaints and 24 other allegations, of which seven were substantiated. In two other complaints, allegations of a stop and frisk have been plead against Sergeant Cabrera and substantiated. Specifically:
 - 201302335 involved substantiated allegations of a stop, frisk, vehicle search, and discourteous word against Sergeant Cabrera. The Board recommended Charges, Sergeant Cabrera was found guilty at an APU trial, and the NYPD imposed a forfeiture of 10 vacation days.
 - 201702667 involved substantiated allegations of a stop, frisk, and question against Sergeant Cabrera. The Board recommended Command Discipline A and the NYPD imposed Command Discipline A.
 - In the current case, it was alleged that Sergeant Cabrera inappropriately stopped and frisked § 87(2)(g)
- PO Layng has been a member of service for three years and has been a subject in five other CCRB complaints and 17 other allegations, of which six were substantiated.:
 - 202000753 involved a substantiated allegation of a refusal to process civilian complaint against PO Layng. The Board recommended Command Discipline A and the NYPD imposed no discipline.
 - 202008106 involved three substantiated allegations of discourteous words, a substantiated allegation of offensive language – gender, and a substantiated allegation of offensive language – race against PO Layng. The Board recommended Charges and the NYPD has not yet imposed discipline.
 - § 87(2)(g)
- PO Talbert has been a member of service for six years and has been a subject in four other CCRB complaints and eight other allegations, of which none was substantiated.
 - § 87(2)(g)
- PO Perez has been a member of service for five years and has been a subject in two other CCRB complaints and 2 other allegations, of which none has been substantiated.:
 - § 87(2)(g)

Mediation, Civil, and Criminal Histories

- This complaint was not suitable for mediation.
- As of August 9, 2022, the New York City Office of the Comptroller found no record of a Notice of Claim being filed in regards to this incident. (BR 18)
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]
[REDACTED]

Squad: 9

Investigator:	<u>Christopher Olmsted</u>	<u>Investigator Chris Olmsted</u>	<u>09/11/2022</u>
	Signature	Print Title & Name	Date

Squad Leader:	<u>Wassim Abedrabbo</u>	<u>IM Wassim Abedrabbo</u>	<u>09/13/2022</u>
	Signature	Print Title & Name	Date

Reviewer:	<u></u>	<u></u>	<u></u>
	Signature	Print Title & Name	Date